

Rules and Procedures for the Filing of and Action upon Special Permits issued by the Marion Planning Board

I. Filing Requirements:

A copy of the completed Form 3A (Special Permit application) shall be filed with the Town Clerk and Planning Board by the applicant.

The applicant is required to submit the following to the Planning Board:

1. A copy of Form 3A stamped by the Town Clerk.
2. 15 sets of plans or drawings applicable to the project which the applicant believes will better explain and describe the project for which the Special Permit is requested. Plans are to be of a minimum dimension of 8.5"X 14" but not to exceed a dimension of 24"X36", drawn at a scale of 1" equals 40'. The Planning Board reserves the right to require additional copies of plans. Subject to agreement by the Planning Board, plans may be submitted electronically.

The Planning Board will adhere to D.E.P. suggested guidelines pertaining to docks and piers as a standard practice.

A waiver from the requirements for plan submission may be requested by the applicant prior to submission of the application. The Planning Board shall discuss the waiver request at a regularly scheduled meeting.

3. List of abutters within 300' of the boundary line of the subject property. Planning office staff will provide assistance if the applicant is not experienced in compiling this information. Note, however, that the applicant is solely responsible for obtaining a certified abutters listing from the Marion Assessor's office.

4. A filing fee (see *Application Fees* in Appendix A of the *Subdivision Rules and Regulations*).

II. Public Hearing

Unless a late date is authorized in writing by the applicant, a public hearing on the application will be scheduled to open within 65 days of the filing date as certified by the Town Clerk.

Within 5 days of receipt of the complete application package including the materials noted above, the Planning Board will cause to be distributed copies of the application and other supporting documents to the Board of Selectmen, Board of Health, Conservation Commission, Board of Appeals, and to any other board or official who has a direct interest in the project by virtue of the area of responsibility of the board or official. The recipients of copies of the application will have 21 days to submit written comments to the Planning Board. The Planning Board shall not act upon the application until 21 days have expired or all recipients have responded (if sooner).

The Planning Board shall cause to be prepared a public hearing notice which will be published in two consecutive issues of The Wanderer or other newspaper of general circulation. The first notice shall be published no less than 14 days prior to the opening

of the public hearing. The notice will also be posted in a conspicuous place in Town Hall for a period of not less than 14 days before the opening of the public hearing. The applicant is responsible for payment for the legal ad. A check for the cost of the ad made payable to The Wanderer or other newspaper of general circulation is required of the applicant when the bill is received by the Planning office.

The Planning Board secretary will send notice of the public hearing by Certified Mail to the petitioner, abutters, parties in interest, and the Planning Boards of all abutting towns by mail.

III. Decision

The Planning Board shall take a final vote on the application within 90 days of the opening of the public hearing unless the applicant agrees in writing to an extension and said extension is accepted by the Planning Board.

The Planning Board's decision granting or denying the Special Permit application will be filed with the Town Clerk within 14 days following the Planning Board's vote on said decision. Copies of the decision will be mailed to the applicant and the Planning Boards of all abutting towns. Abutters to the project will be mailed notice stating whether the project has been approved or denied and that a copy of the decision is on file in the Planning office.

IV. Recording

After the expiration of 20 days from the date of filing with the Town Clerk, if no appeal has been filed with the Town Clerk, the Town Clerk shall certify on the decision that it is a true copy of the Special Permit granted by the Planning Board and that 20 days have expired with no appeal taken.

The applicant shall file the Special Permit decision with the Plymouth County Registry of Deeds and return a copy of the first page of the decision with a date stamped receipt of the Registry of Deeds identifying the Book and Page number where said decision has been recorded. The Special Permit shall lapse and become null, void and void *ab initio* if the Decision is not recorded with the Plymouth County Registry of Deeds within six months of the expiration of the above noted 20 day appeal period.